

REMARKS

New claim 14 has been added. Claims 1-8 and 11-14 are pending in this application. Applicants reserve the right to pursue the original and other claims in this and other applications. Applicants respectfully request reconsideration in light of the above amendments and the following remarks.

Applicants acknowledge with appreciation Examiner Oladapo's courtesy in conducting the October 29, 2009 interview with Applicant John Ward and Applicants' representative Jennifer McCue. During the interview, Mr. Ward, Ms. McCue and Examiner Oladapo discussed the details of the claimed invention and the rejection of the claims in light of Gentry et al. (U.S. Patent No. 6,261,441) ("Gentry"). Additionally, Examiner Oladapo indicated that, in light of the arguments presented at the interview (set forth herein), examination of the application would be reopened.

The Specification as been amended to correct an apparent scanning error on the part of the Office. The application as filed included the information shown in the amendment above. Applicants submit this amendment in order to ensure appropriate printing upon allowance of the application.

Claims 1-8 and 11-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gentry. This rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 1 recites a "process for preparation of middle distillates by selective conversion of a hydrocarbon containing feedstock under hydrocracking conditions with a hydrocarbon conversion catalyst comprising one or more hydrogenation components supported on a support comprising a beta zeolite and an amorphous inorganic oxide, the beta zeolite having a SiO₂: Al₂O₃ molar ratio of at least 50, and the amorphous inorganic oxide consisting of silica-alumina and alumina and combinations thereof, the support having an Ion Exchange Capacity-Acidity Index of less than 3.7, the support comprising less than 50 wt % zeolite beta."

The Office Action relies on portions of Gentry relating to Gentry's "dewaxing stage" as disclosing the use of zeolite beta, the silica:alumina ratio in the support and the zeolite:matrix ratio

for a hydrocracking process. See, Office Action, pg. 3. However, Applicants note that the dewaxing process of Gentry is a distinct process from that of hydrocracking, as claimed. Specifically, as discussed in the interview, hydrocracking relates to *breaking* hydrocarbon chains whereas the isomerization that takes place in a dewaxing process relates to *rearranging* of the hydrocarbon chains. Further, as noted in Gentry, the dewaxing process is performed under operating parameters which “maximize the paraffin isomerization reactions *at the expense of cracking.*” Gentry, col. 12, lines 7-8. Accordingly, Applicants respectfully submit that Gentry does not disclose, or render obvious, the various claimed operating parameters occurring “under hydrocracking conditions” as claimed.

Accordingly, Applicants respectfully submit that claim 1 is allowable over the cited combination. Claims 2-8 and 11-13 depend from claim 1 and are allowable along with claim 1. Applicants respectfully request that the rejection be withdrawn and the claims allowed.

New claim 14 depends from claim 1 and is allowable along with claim 1. Further, Applicants respectfully submit that Gentry does not disclose “the support compris[ing] less than 15 wt % zeolite beta,” as recited in claim 14. Thus, claim 14 is allowable for this additional reason. Applicants respectfully request allowance of claim 14.

In view of the above, Applicants believe the pending application is in condition for allowance.

Dated: November 23, 2009

Respectfully submitted,

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